

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**CASE NO.: 1:22-cv-04745-KMW-SAK**

**TIMOTHY JACKSON,**

**Plaintiff,**

**v.**

**SUNRISE CREDIT SERVICES, INC. and  
I.C. SYSTEM, INC.,**

**Defendants.**

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**DEFENDANT I.C. SYSTEM, INC.'S ANSWER AND  
AFFIRMATIVE DEFENSES TO PLAINTIFF'S COMPLAINT**

COMES NOW, Defendant, I.C. SYSTEM, INC. ("Defendant" and/or "ICS"), and files this Answer and Affirmative Defenses to the Plaintiff's Complaint and states:

**INTRODUCTION**

1. Defendant admits Plaintiff seeks relief under the FDCPA, otherwise, Defendant denies Plaintiff is entitled to any such relief.

**JURISDICTION AND VENUE**

2. Admitted for jurisdictional purposes only, otherwise, denied.

**PARTIES**

3. Defendant is without sufficient information to form an opinion regarding the veracity of the allegations in this paragraph of Plaintiff's Complaint.

4. This paragraph is not directed at Defendant, as such, no response is required. To the extent a response is required, Defendant is without sufficient information to form an opinion regarding the veracity of the allegations in this paragraph of Plaintiff's Complaint.

5. Defendant admits it is a Minnesota corporation and has a principal place of business located at 444 Highway 96 East, St. Paul, Minnesota 55127. Otherwise, Defendant is without sufficient information to form an opinion regarding the veracity of the allegations in this paragraph of Plaintiff's Complaint.

6. Defendant admits it is in the business of collecting delinquent financial obligations, and that it uses the mail and telephone in that regard. Otherwise, Defendant is without sufficient information to form an opinion regarding the veracity of the allegations in this paragraph of Plaintiff's Complaint.

### **FACTUAL ALLEGATIONS**

7. Defendant is without sufficient information to form an opinion regarding the veracity of the allegations in this paragraph of Plaintiff's Complaint.

8. Defendant is without sufficient information to form an opinion regarding the veracity of the allegations in this paragraph of Plaintiff's Complaint.

9. Denied.

10. This paragraph is not directed at Defendant, as such, no response is required. To the extent a response is required, Defendant is without sufficient information

to form an opinion regarding the veracity of the allegations in this paragraph of Plaintiff's Complaint.

11. Denied.

12. This paragraph is not directed at Defendant, as such, no response is required. To the extent a response is required, Defendant is without sufficient information to form an opinion regarding the veracity of the allegations in this paragraph of Plaintiff's Complaint.

13. Defendant is without sufficient information to form an opinion regarding the veracity of the allegations in this paragraph of Plaintiff's Complaint.

14. Defendant is without sufficient information to form an opinion regarding the veracity of the allegations in this paragraph of Plaintiff's Complaint.

15. This paragraph is not directed at Defendant, as such, no response is required. To the extent a response is required, Defendant is without sufficient information to form an opinion regarding the veracity of the allegations in this paragraph of Plaintiff's Complaint.

16. Denied.

17. Denied.

**COUNT I – FDCPA AGAINST SUNRISE CREDIT SERVICES, INC.**

18. Defendant incorporates and re-asserts its responses to the above paragraphs as if fully re-stated herein.

19. This paragraph is not directed at Defendant, as such, no response is required. To the extent a response is required, denied.

20. This paragraph is not directed at Defendant, as such, no response is required. To the extent a response is required, denied.

21. This paragraph is not directed at Defendant, as such, no response is required. To the extent a response is required, denied.

**COUNT II – FDCPA**  
**AGAINST I.C. SYSTEM, INC. AND SUNRISE CREDIT SERVICES, INC.**

22. Defendant incorporates and re-asserts its responses to the above paragraphs as if fully re-stated herein.

23. Denied.

24. Denied.

25. Denied.

26. Admitted Plaintiff demands a trial by jury on all issues so triable.

**AFFIRMATIVE DEFENSES**

**FIRST AFFIRMATIVE DEFENSE**

Defendant asserts that if it is assumed, *arguendo*, that Defendant violated a statute as alleged in Plaintiff's Complaint, which presupposition Defendant denies, such violation was not negligent or intentional, and resulted from a *bona fide* error, notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.

**SECOND AFFIRMATIVE DEFENSE**

Defendant asserts, without admitting any liability whatsoever, that Plaintiff's claims may be barred in whole or in part by the applicable statute of limitations found in the FDCPA.

**DEMAND FOR A JURY TRIAL**

Defendant demands a trial by jury of all issues so triable.

WHEREFORE, Defendant, respectfully requests this Court to dismiss Plaintiff's claims with prejudice and for any such other relief as this court deems just and proper.

Respectfully submitted by:

MARSHALL DENNEHEY

Dated: August 29, 2022

By: /s/ Jeremy J. Zacharias  
JEREMY J. ZACHARIAS, ESQ.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 29, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF. I also certify that the foregoing document is being served this day on all counsel either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing:

MARSHALL DENNEHEY

By: /s/ Jeremy J. Zacharias

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